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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4259/2016
SHOKEEN MALIK

..... Petitioner

Through: Mr.M.M.Kashyap, Advocate.

versus

STATE, NCT OF DELHI & ORS

..... Respondents

Through: Ms.Kusum Dhalla, APP for State with
SI Arvind Kumar, P.S. New Usman
Pur, Delhi.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER
08.12.2016

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This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioner seeking quashing of FIR bearing FIR No.402/2013, under Section 308/34 IPC, registered at Police Station New Usmanpur, Delhi and all proceedings arising therefrom.

Learned counsel for the petitioner submits that the petitioner and the injured are the neighbours and due to the misunderstanding arisen between them, an FIR No.402/2013, under Sections 308/34 IPC was got registered. Counsel further submits that after the registration of the FIR, the friends and near relatives intervened and the matter has been amicably settled between the parties outside the Court vide compromise deed dated 28th October, 2016 which is placed on record. Counsel for the petitioner further submits that the opposite party, namely, Naseem Akhtar, has also got registered a cross-FIR

bearing No.403/2013, under Section 308/324/34 IPC at Police Station New Usmanpur, Delhi. Counsel further submits that the petitioner have settled the matter with the injured/complainant in order to have peace and harmony in the neighbourhood. He further submits that the settlement reached between the parties is voluntary and without any force, pressure or coercion and prays that since the matter has been amicably settled between the parties, no purpose would be served in continuing with the criminal proceedings against the petitioner and hence, the FIR and all subsequent proceedings, which are coming in the way of the parties as a hurdle to live peacefully in the neighbourhood, may be quashed.

The respondents No.2, 3 & 4, namely, Naseem Akhtar, Shoab Ansari @ Shibu and Babu Khan are present in Court today and have been identified by the IO SI Arvind Kumar, P.S. New Usman Pur, Delhi. The injured/complainant admit that they have amicably settled the matter with the petitioner outside the Court voluntarily and without any force, pressure or coercion and nothing further remains to be adjudicated between the parties. They further submit that they have got no objection, if the FIR in question is quashed.

Looking into the facts and circumstances, since the matter has been amicably settled between the parties and the fact that the parties are neighbours, residing in the area of New Usmanpur, Delhi and they have sorted out their dispute amicably during settlement and nothing remains to be adjudicated between them and to have peace and harmony in their respective families and also in the neighbourhood, and to meet the ends of justice, I deem it appropriate to quash the FIR in question and all subsequent proceedings arising therefrom. Consequently, FIR No.402/2013, under

Section 308/34 IPC, registered at Police Station New Usmanpur, Delhi and all proceedings arising therefrom are hereby quashed.

The present petition stands disposed of in the above terms.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

DECEMBER 08, 2016
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